

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KEP-CO, INC. et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 4:06CV747 CDP
)	
FIRST BANK OF OAK PARK et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

In light of the suggestion of bankruptcy of plaintiff Kimberly McClerking filed by plaintiff's counsel in their motion to withdraw, and the stay of this action which results, the Court concludes that the case should be administratively closed until such time as the bankruptcy proceedings have been concluded or Court action is otherwise required. Any motion seeking reopening of the case shall state:

- (a) the facts and procedural history, including any significant occurrences in the bankruptcy proceedings;
- (b) the issues remaining for determination by this Court;
- (c) the potential for settlement, and the status of any settlement discussions;
- (d) whether a Rule 16 scheduling conference is requested;

- (e) the status of discovery;
- (f) whether significant pretrial motion practice, including the filing of potentially dispositive motions, is anticipated;
- (g) the date by which it is reasonably likely that the case would be ready to proceed to trial; and
- (h) the estimated length of trial.


Plaintiff's counsel revised motion to withdraw will be granted but counsel should notify their client of her obligation to list this case in her bankruptcy assets.

All other pending motions will be denied without prejudice. Accordingly,

IT IS HEREBY ORDERED that the Clerk of the Court shall administratively **CLOSE** this action, subject to reopening on a motion filed in compliance with this order.

IT IS FURTHER ORDERED that plaintiff's counsel revised motion to withdraw [#53] is GRANTED.

IT IS FINALLY ORDERED that all pending motions [#49, 52] are denied without prejudice to be refiled in the event the case is reopened.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 9th day of April, 2007.